

### **REMARKS**

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. Status of the Claims and Explanation of Amendments

Claims 1-5, 7-11, 13, 14, 16, and 17 were pending. By this paper, claims 1, 7, 13, 16 and 17 are amended. Claim 1 is amended to specific that the first apparatus is “connected to a wireless communication apparatus having a wireless communication unit and a memory,” instead of to perform wireless communication “by connecting said first apparatus to a wireless communication apparatus having a wireless communication unit and a memory.” Further, claim 1 is amended to add “wireless communication” before setting information. Claim 1 also is amended to add the language “performs wireless communication via said wireless communication unit.” Claims 7, 13, 16, and 17 are similarly amended. Support for these claim amendments is found throughout the application as originally filed, including for example at figure 3 and its accompanying text. No new matter has been added by way of these amendments.

Each of the pending claims was rejected. Claims 1-4, 7-10, 13, 16, and 17 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2005/0015467 to Noda (“Noda”). [8/30/06 Office Action at pp. 4-9]. In addition, claims 5, 11 and 14 were rejected pursuant to 35 U.S.C. § 103(a) as allegedly being unpatentable over Noda further in view of U.S. Patent Application Publication No. 2003/0009541 to Sato (“Sato”). [8/30/06 Office Action at pp. 10-14].

Reconsideration and withdrawal of these rejections is respectfully requested as the cited references fail to teach, disclose or suggest all of the claim elements recited in these claims.

B. Claims 1-5, 7-11, 13-14 and 16-17 Are Patentably Distinct Over Noda And Sato

Applicant respectfully traverses the rejections of claims 1-5, 7-11, 13-14 and 16-17. Claim 1 recites, *inter alia*:

“1. A communication method for allowing a first apparatus connected to a wireless communication apparatus having a wireless communication unit and a memory ... comprising:

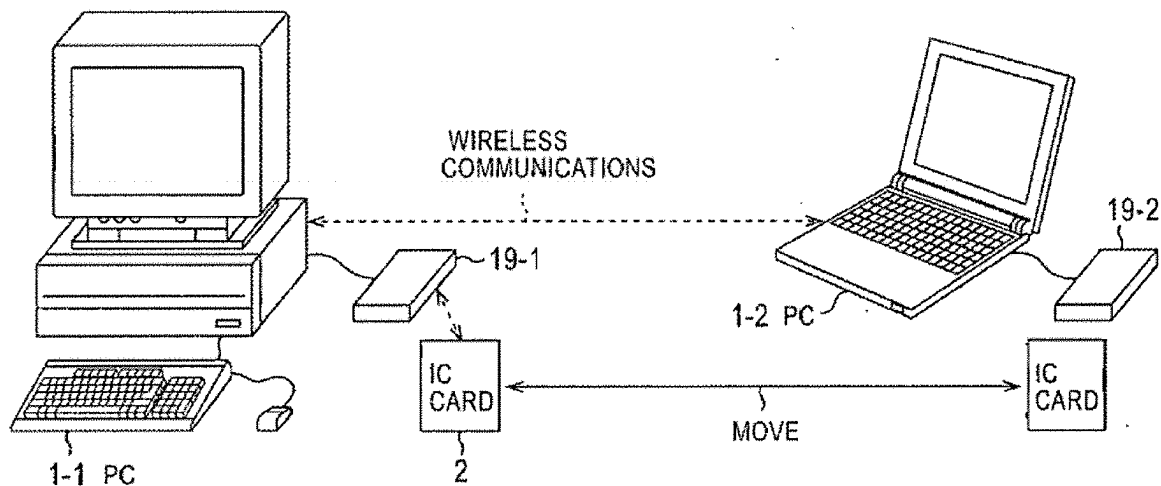
a registration step of registering, while said wireless communication apparatus is connected to a second apparatus, wireless communication setting information, for which said first apparatus performs wireless communication via said wireless communication unit, in said memory by said second apparatus;

a reading step of reading, in a case that said wireless communication apparatus where the wireless communication setting information has been registered in said registration step is connected to said first apparatus, the wireless communication setting information from said memory by said first apparatus;

a setting step of setting the wireless communication setting information read in said reading step in said wireless communication unit by said first apparatus; and

a communication step of performing wireless communication by said wireless communication unit in accordance with the wireless communication setting information set in said setting step, whereby the wireless communication by said first apparatus is achieved.”

Noda is directed to a communication device and method that allow setting for forming a wireless link to be automatically executed without requiring a special setting operation. [Noda, abstract]. Noda’s Figure 7 shows a scheme for forming a wireless LAN between a personal computer 1-1 and a personal computer 1-2 in ad-hoc mode:



Figures 8 and 10 are flowcharts showing processing executed by the personal computer 1-1 and personal computer 1-2, respectively. [Noda, ¶0077].

The office action contends that Noda’s personal computer 2 (“PC 1-2”) and personal computer 1-1 (“PC 1-1”) correspond the “first apparatus” and “second

apparatus” of Applicant’s claim 1, respectively. [8/30/06 Office Action, pp. 4-5]. The office action further contends that the IC-card contactless communication unit 19 of Noda corresponds to the “wireless communication apparatus having a wireless communication unit and a memory,” recited in Applicant’s claim 1. [8/30/06 Office Action at pp. 5-6].

Noda describes that local-network information required for wireless communication first is taken from PC 1-1 and stored onto IC card 2. [Noda, ¶¶80-83]. Next, IC card 2 is brought in close proximity to IC-card contactless communication unit 19-2 (“reader 19-2”) of PC 1-2. [Noda, ¶84]. The reader 19-2 then reads local-network information from PC 1-1 that is stored on the IC card 2. [Noda, ¶¶ 84-85]. There is no disclosure in Noda that this reading step occurs in accordance with the local-network information. Indeed, it would be difficult to understand how the reader 19-2 performs this reading step in accordance with such information when it does not have the local-network information before this reading step. Thereafter, CPU 11-2 uses the local-network information of PC 1-1 to instigate wireless communication via wireless communication unit 20-2 (which is part of PC1-2). [Noda, ¶¶ 85]

However, the office action contends that Noda’s paragraphs 84 and 85 disclose the “communication step,” recited in Applicant’s claim 1. Paragraph 84 of Noda discloses local-network information on the IC card 2 may be detected by reader 19-2 of the personal computer 1-2:

“At this time, when the user places the IC card 2 in proximity to the IC-card contactless communication unit 19-2 of the personal computer 1-2, the IC-card contactless

communication unit 19-2 detects the IC card 2, and the processing proceeds to step S22. In step S22, the IC-card contactless communication unit 19-2 determines whether local-network information is recorded in the IC card 2 detected. If it is determined that local-network information is recorded in the IC card 2, the processing proceeds to step S23.”

Noda fails to teach, disclose or suggest that the IC card 2 or reader 19-2 take part in wireless communication between PC 1-1 and PC 1-2. To the extent that there is wireless communication between the IC card 2 and the reader 19-2, there certainly is no disclosure that the IC-card contactless communication unit 19 performs wireless communication in accordance with the local-network information.

Noda’s paragraph 85 discloses that reader 19-2 reads the local-network information recorded in the IC-card 2, then CPU 11-2 sets the network configuration of the wireless communication unit 20-2 based on information read from the IC-card 2, and finally forms a wireless LAN between the personal computers 1-1 and 1-2:

“In step S23, the IC-card contactless communication unit 19-2 reads the local-network information recorded in the IC card 2. The CPU 11-2 sets network configuration of the wireless communication unit 20-2 according to the local-network information read by the IC-card contactless communication unit 19-2. Thus, a wireless LAN is formed between the personal computer 1-1 and the personal computer 1-2 in ad-hoc mode.”

The wireless LAN is formed via the wireless communication unit 20-2, not via the reader 19-2.

Therefore, Noda fails to teach, disclose or suggest “performing wireless communication by said wireless communication unit in accordance with the wireless communication setting information set in said setting step,” as recited in Applicant’s claim 1.

The office action did not contend that Sato teaches, discloses or suggests the “communication step” recited in Applicant’s claim 1. At best, Sato discloses a management device 10, which sets the communication parameters stored in the IC card. Applicant’s own review of Sato finds no disclosure of the “communication step” recited in Applicant’s claim 1. .

Accordingly, as Applicant cannot find the “communication step” of claim 1 in either Noda or Sato, independent claim 1 is patentably distinct from these cited references. Independent claims 7, 13, 14, 16 and 17 and dependent claims 2-5, 8-11 and 14 also are respectfully asserted to be in condition for allowance for at least similar reasons.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Likewise, Applicant has chosen not to swear behind Noda, cited by the office action, or to otherwise submit evidence to traverse the rejection at this time. Applicant, however, reserves the right, as provided by 37 C.F.R. §§ 1.131 and 1.132, to do so in the future as appropriate. Finally, Applicant has not specifically

Appl. No. 10/713,180  
Paper dated December 1, 2006  
Reply to Office Action dated August 30, 2006

addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance.

Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

Appl. No. 10/713,180  
Paper dated December 1, 2006  
Reply to Office Action dated August 30, 2006

**CONCLUSION**

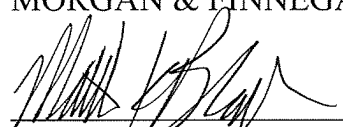
For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5208.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: December 1, 2006

By: \_\_\_\_\_

  
Matthew K. Blackburn  
Registration No. 47,428

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.

3 World Financial Center

New York, NY 10281-2101

(212) 415-8700

Telephone

(212) 415-8701

Facsimile